

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STEPHANIE CLARK,

Plaintiff,

v.

Case No. 20-cv-1363-pp

ANDREW M. SAUL,

Defendant.

**ORDER REQUIRING PLAINTIFF TO FILE AMENDED MOTION FOR LEAVE
TO PROCEED WITHOUT PREPAYING THE FILING FEE**

The plaintiff has filed a complaint seeking judicial review of a final administrative decision denying her claim for disability insurance benefits under the Social Security Act. Dkt. No. 1. She also filed a motion for leave to proceed without prepaying the filing fee. Dkt. No. 3.

To allow the plaintiff to proceed without paying the filing fee, the court first must decide whether the plaintiff can pay the fee; if not, it must determine whether the lawsuit is frivolous. 28 U.S.C. §§1915(a) and 1915(e)(2)(B)(i).

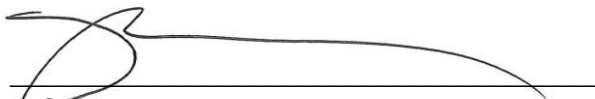
The plaintiff's affidavit does not provide enough facts for the court to determine whether she can pay the filing fee. The affidavit indicates that the plaintiff is not employed, she is not married, and she has no dependents she is responsible for supporting. Dkt. No. 3 at 1. The only source of income the plaintiff lists is \$100 per month from her "parents (mom)," id. at 2, and she lists no monthly expenses other than \$100 in other household expenses , id. at

2-3. The court is perplexed as to how the plaintiff is living. She shows no rent or mortgage payment, she does not own a car or any other property of value, nor does she have any cash on hand or in a checking or savings account. Id. at 2-4. Perhaps the plaintiff lives with family or friends free of charge, perhaps those family or friends also provide for her needs, but there is nothing in the affidavit telling the court whether that's the case or who supports the plaintiff. The court will ask the plaintiff to file an amended request to proceed without prepaying the filing fee. The plaintiff is represented by counsel, who should assist her in filling out the amended request clarifying her living situation.

The court **ORDERS** that the plaintiff must file an amended request to proceed without prepaying the filing fee by the end of the day on **September 25, 2020**. If the plaintiff does not provide a new request in time for the court to receive it by the deadline, the court will deny her application to proceed without prepaying the filing fee and will require her to pay the full \$400 filing fee by a date certain.

Dated in Milwaukee, Wisconsin this 11th day of September, 2020.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge